

THE HON. RICHARD A. JONES

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

RANDALL PARTEN, individually; ILESSE
CONDOMINIUM ASSOCIATION; G. LEE
FINLEY,

Plaintiffs,

vs.

V4L, aka Vapor4life; JOHN DOE 1; JOHN
DOE 2; JOHN DOE 3,

Defendants.

No. 2:20-cv-1275 RAJ

STIPULATION & ORDER FOR
SEVERANCE AND TRANSFER

Note on Calendar for: 06/22/2021

STIPULATION

The parties, by themselves, or through their counsel of record, stipulate as follows:

1. The Plaintiffs stipulate to the entry of the order set forth below, severing Mr. Parten's claims from this action and transferring them to the United States District Court for the Northern District of Illinois, so that they may be submitted to arbitration there;

2. The parties have entered into this stipulation in order to avoid the expense of litigating the pending motion. They agree that the fact that they have entered into this stipulation shall not affect their respective rights and positions with respect to choice of law



1 and the applicable statute of limitations governing Mr. Parten's claims, which rights and
2 positions they each expressly reserve.

3
4 3. The parties agree that they each reserve their respective positions regarding the
5 enforceability of the Terms & Conditions, including but not limited to the issue of
6 unconscionability that the plaintiffs have raised;

7 4. Vapor4Life Holdings, Inc. ("Vapor4Life") waives any claim it may have
8 against Mr. Parten for attorneys fees under the indemnification provisions of its Terms &
9 Conditions, with respect to any claims alleged against it in this action and agrees that Mr.
10 Parten and his counsel, if any, may appear remotely for any proceedings in the arbitration in
11 Illinois; and

12 5. The remaining claims, of Mr. Finley, shall remain in this action, in the United
13 States District Court for the Western District of Washington.

14 IT IS SO STIPULATED this 22nd day of June, 2021.

15 s/ Lee Finley (per electronic authorization)

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2 s/ John M. Silk
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8 Attorneys for Defendant Vapor 4 Life Holdings, Inc.

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10 **ORDER**

11 Based on the stipulation of the parties, through their counsel, the Court, being fully
12 advised, enters the following order:

13 1. The motion filed by Vapor 4 Life Holdings, Inc. to sever and transfer (Dkt.
14 #13) is granted.

15 2. Mr. Parten's claims shall be transferred to the United States District Court for
16 the Northern District of Illinois, and be submitted to arbitration there.

17 DATED this 25th day of June, 2021.

18 
19 UNITED STATES DISTRICT JUDGE

20 Presented by:

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